

EXPRESS TERMS
TITLE 13 MOTOR VEHICLES
ARTICLE 6.1. ADMINISTRATIVE ADJUDICATION

440.04. Occupational Licensing and Disciplinary Guidelines.

In reaching a decision on a licensing or disciplinary action under Division 5 of the Vehicle Code and the Administrative Procedure Act (Government Code section 11400, et seq.), the Director of Motor Vehicles or his or her designee shall consider the guidelines entitled "Occupational Licensing and Disciplinary Guidelines" (Rev. ~~3/98~~ 11/2006), which are hereby incorporated by reference, and any and all other sanctions provided by relevant statutes and regulations. Deviation from these guidelines and orders, including standard terms of probation, is appropriate where the Director or his or her designee, in his or her sole discretion, determines that the facts of the particular case warrant such a deviation, for example, the presence of mitigating factors, the age of the case, and evidentiary problems.

Note: Authority cited: Section 1651, Vehicle Code; and Section 11400.20, Government Code. Reference: Sections 11340.5 and 11425.50(e), Government Code; and Sections 11100 through 11909, Vehicle Code.